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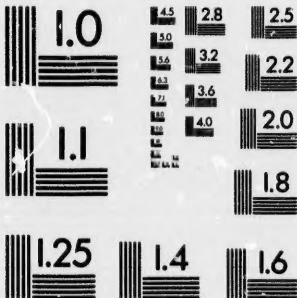
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CORRESPONDENCE

OF A

RECENT DATE

BETWEEN

SIR J. B. ROBINSON, BART.,

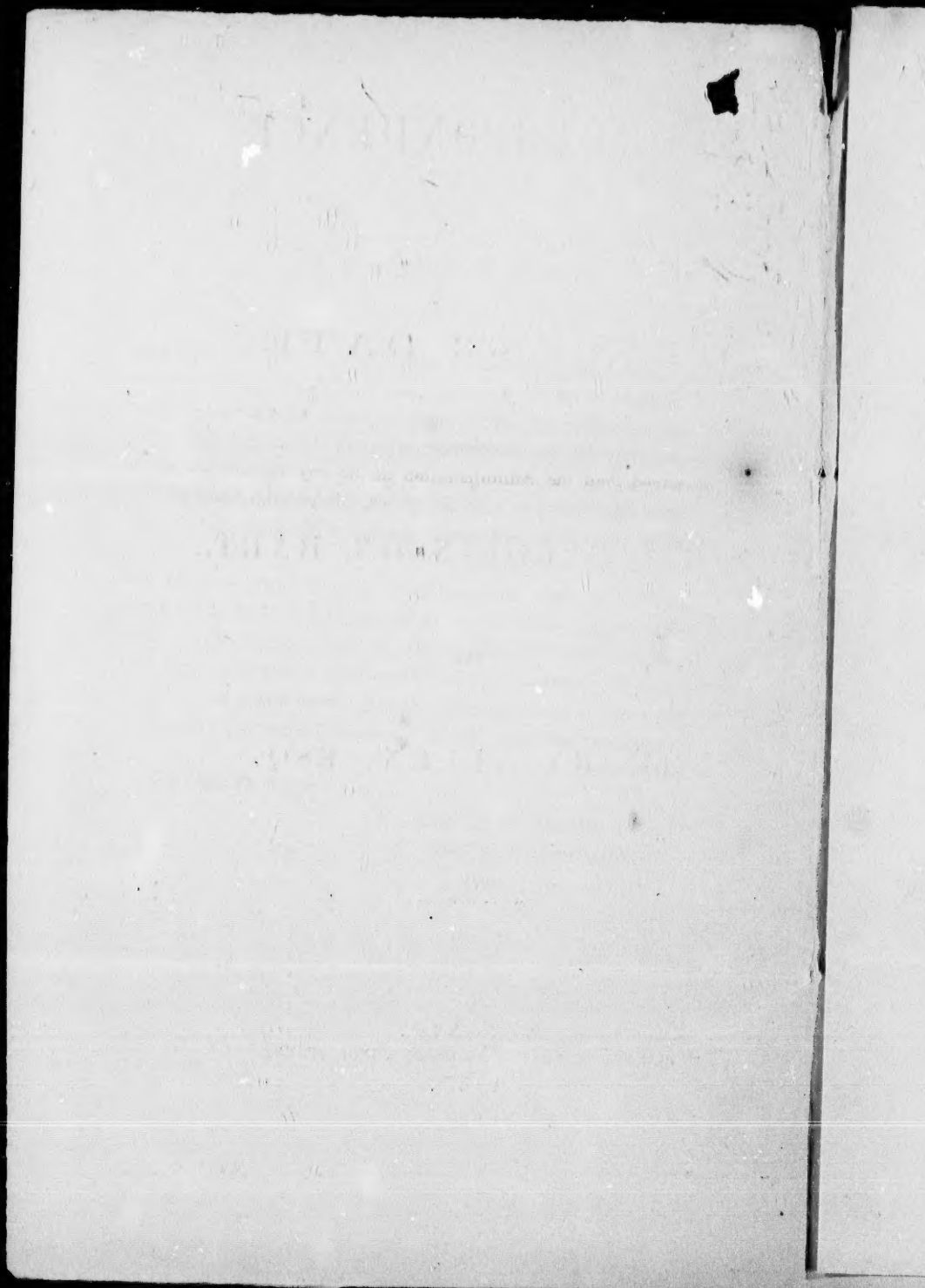
AND

HENRY ALLEN, ESQ.

TORONTO:

PRINTED BY LOVELL & GIBSON, YONGE STREET.

1857.



P R E F A C E .

This correspondence is published in print, with the kind permission of His Lordship the Chief Justice, as illustrative of the hardship of being visited with the consequences of delay and expense, the whole or great part of which might have been saved, had the Administration of the day thought proper to give effect to my offer to resign, an offer which I cannot but think must have been communicated to Mr. Draper at or near the time it was made.

The details of the case, as contained in my letter to Mr. Draper long since published, would have been as long since printed, were it not for the best of all reasons, namely, that I have been turned adrift for life, under circumstances implying, as I say, degradation and disgrace, and as others say, a mere imaginary grievance, the like to which I trust they may never experience.

HENRY ALLEN.

Osgoode Hall, 10 E. Wing,
24th September, 1857.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF LAW

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF LAW
OFFICE OF THE DEAN
530 SOUTH MICHIGAN AVENUE
CHICAGO, ILLINOIS 60607
TEL. 373-3300

CORRESPONDENCE
OF A RECENT DATE BETWEEN
SIR J. B. ROBINSON, BART.,
AND
HENRY ALLEN, ESQ.

SIR J. B. ROBINSON, Bart.,
Beverly House.

NIAGARA, 31st Dec., 1856.

MEM.—Rescript enclosed under cover, with \$5 rent to 1st April next, to Mr. Gwynne, Secretary of Law Society, and mailed on 1st instant, but too late, as I think, for that day's mail.

H. A.

2nd January, 1857.

MY DEAR SIR,—

Will you have the kindness to accept for yourself, Lady Robinson, and your family, the offer of our best wishes and respectful regards.

You may be sure that the offer is introductory to the request of a favor, to the subject of which I therefore at once hasten, and if possible to tax your recollection with one of the many kindnesses I have received at your hands, that is, on the occasion of a visit at Beverly House in August, 1846, on which occasion I received what to me was tantamount to congratulation on my supposed escape from then existing troubles; and I mentioned the fact of a Commissioner having then gone to London on a service which resulted, as I had been then assured it would result in my dismissal from office.

On the same occasion I endeavored to explain to your Lordship that I was willing at once to resign my office, and thus, as I think, to have expressed myself, to save both the Province and myself the expense and harassment of any further proceedings if your Lordship, or any one of the Superior Judges, would on enquiry say that my case was one proper for a sentence of dismissal.

After leaving Beverly House I went to Dr. McCaul's on a trifling matter of business, and to that Gentleman on his offer to be the medium of any communication I might desire to make to Mr. Draper, then the Attorney General, and whom Dr. McCaul mentioned as an intimate friend, I repeated in terms or effect what had just passed at Beverly House, and authorised his, (Dr. McCaul's) communication accordingly to Mr. Draper.

If you can bear me out in the accuracy of my statement in regard to that part of this letter which refers to my visit at Beverly House, will you favor me with a few lines to the effect desired.

(The remainder of the letter is about my son from whom I had heard on that morning.) And the letter concludes,

Believe me, with every feeling of respect and affection,

My dear Sir,

Yours sincerely,

HENRY ALLEN.

In July last being on a visit at Beverly House, I discovered that the rescribed letter had not been received, and on my return home I sent per mail another rescript, dated 20th July, of the same letter, and in due course I received the reply which I copy as follows:—

TORONTO, 21st July, 1857.

MY DEAR SIR,—

I do perfectly recollect that many years ago, and probably at the time you speak of, there was a conversation between us in my house, upon the subject of representations, that had been made to the Government regarding your conduct in your office of County Judge, or rather I should say your department in the office, for it was that chiefly which I understood had been complained of.

And I do remember your expressing yourself to the effect that you were quite willing to abide by the opinion which the Judges, or perhaps you said, which any of the Judges of the Superior Court might find upon the question, whether any thing had been established against you which would justify your dismissal.

I think I must have remarked in answer, that the Judges could give no judgment of the kind, except as the result of

some legal investigation, which they would properly be called upon to institute.

That at least is what I must have thought, and therefore most probably said.

We have just now a very agreeable change of the weather, which must make the plains of Niagara an enjoyable place.

With kind regards to Mrs. Allen, believe me,

My dear Sir,

Yours very truly,

J. B. ROBINSON.

HENRY ALLEN, Esq.,
Niagara, Upper Canada.

(Copy mailed on day of date, H. A.)

NIAGARA, 1st Sept., 1857.

MY DEAR SIR,—

When leaving Toronto last week I requested your son to be the bearer of my thanks for your kind letter in reply to mine, of which the original is not yet forthcoming.

Well I only wish that the Court of Impeachment, of which you are the Chief, had been appointed for my case, instead of the Government of the day having to resort to such an expedient as is implied by special and personal legislation on complaints about the deportment of a Judge; and it is possible that I should not have been turned adrift for life for my alleged failure to maintain dignity of deportment, to support which complaint charges implying corruption and falsehood have been put on record, not only as against myself, but (as is of much greater importance) as against my son.

Let me repeat the expression of my gratitude for your many kindnesses.

Believe me, my dear Sir,

Yours very truly,

HENRY ALLEN.

Hon. Sir J. B. ROBINSON, Bart., Toronto.

(Rescribed from recollection; original mailed. H. A.)

OSGOODE HALL, TORONTO,

17th September, 1857.

MY DEAR SIR,—

Will you let me avail myself of your kind letter of the 21st

July last, by way of voucher for the accuracy of my statement with reference to your letter, which is indeed more than I could have asked for or expected.

Most respectfully and sincerely yours,
HENRY ALLEN.

(COPY.)

TORONTO, 19th Sept., 1857.

MY DEAR SIR,—

As my letter to which you refer was not written with any view to its being made a public use of, I should like to see it before I say more upon it. Perhaps you can without much trouble forward it to me or a copy—either at L'Original, where I shall be till 27th Sept., or at City of Ottawa, where I shall be till 5th Oct. I am to leave town by 7 o'clock train on Monday

Yours sincerely,
J. B. ROBINSON.

Address,
HENRY ALLEN, Esq.,
Barrister, Osgoode Hall, 10, E. Wing.

(COPY.)

TORONTO, 20th September, 1857.

MY DEAR SIR,—

Your note of 19th was delivered to me a few minutes since, and as it is a labor of charity that I should allude to its subject, I have the less hesitation in sending my reply to-day, together with your letter, of which I pray you to allow me to avail myself as a proof of your kindness to one who by many in this world appears to be thought unworthy of any kindness or even consideration.

May the Almighty grant you and yours every blessing.

Yours respectfully and sincerely,
HENRY ALLEN.

MEM.—The delivery of my reply having been declined on behalf of the bearer of Sir J. Robinson's letter, my reply was last evening delivered in person, and the Chief said he had no objection to my making use of his letter in any way I pleased.

H. A.

Osgoode Hall,
21st September, 1857.

